

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 20-40099

Plaintiff,

vs.

DUSTIN MICHAEL MCCLEAN, SR.,

ORDER EXCLUDING PERIOD OF
DELAY PURSUANT TO 18 U.S.C. §
3161(h)(2)

Defendant.

The United States and the Defendant, Dustin Michael McClean, Sr., having stipulated that the Court may enter an order pursuant to 18 U.S.C. § 3161(h)(2) deferring proceedings in this matter for a period of 18 months, or until breach, as defined in the terms of the Pretrial Diversion Agreement, for the purpose of allowing the defendant to demonstrate his good conduct; and further ordering that the period of delay be excluded for purposes of computing time under the Speedy Trial Act (18 U.S.C. § 3161 et. seq.).

The Court finds that deferral of the prosecution of this matter for a period of 18 months, or until breach as defined in the terms of the Pretrial Diversion Agreement, is appropriate to allow the defendant to demonstrate his good conduct as provided for in 18 U.S.C. § 3161(h)(2). The Court further finds that the ends of justice will be served by continuance of this matter for the deferral period and that this outweighs the interest of the public and defendant in a speedy trial as provided for in 18 U.S.C. § 3161(h)(7)(A).

That proceedings in this matter be deferred for a period of 18 months, or until breach as defined in the terms of the Pretrial Diversion Agreement; and

That the period of delay be excluded for purposes of computing time under the Speedy Trial Act (18 U.S.C. § 3161 et. seq.)

Dated this 22nd day of July, 2021.

BY THE COURT:



KAREN E. SCHREIER
United States District Judge